



Entered on Docket
September 24, 2009

A handwritten signature in black ink, appearing to read "Hon. Mike K. Nakagawa".

Hon. Mike K. Nakagawa
United States Bankruptcy Judge

JORGE L. SANCHEZ, ESQ.
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Attorney for Debtor

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

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|----------------------|---|-----------------------|
| In re: |) | CHAPTER 13 |
| |) | |
| MARCOS & ALISA ARIAS |) | CASE NO: 09-19223-MKN |
| |) | |
| |) | DATE: August 27, 2009 |
| Debtors. |) | TIME: 3:30 PM |
| |) | |

ORDER GRANTING MOTION TO VALUE COLLATERAL OF 2205 SANTA PAULA DRIVE, LAS VEGAS, NV 89104 TO \$65,000.00, "STRIP OFF" THE SECOND AND THIRD MORTGAGE OF WASHINGTON MUTUAL AND MODIFY RIGHTS OF WASHINGTON MUTUAL PURSUANT TO 11 U.S.C. § 506(A) AND § 1322

Debtor's Motion to Value Collateral, "Strip Off" and Modify Rights of WASHINGTON MUTUAL pursuant to 11 U.S.C. § 506(a), and § 1322, and Bankruptcy Rules 3012 and 9014, having been duly filed and served on WASHINGTON MUTUAL, having come before this Court for hearing on the date and at the time set forth above with Debtor appearing by and through his legal counsel Jorge L. Sanchez, Esq., of the law firm of Sanchez Law Group, Ltd., and none of

1 the named lien holders/lenders/servicers having appeared or otherwise having responded, and
2 good cause appearing therefore;

3 IT IS HEREBY ORDERED THAT:

4 1. The value of Debtor's non-principal residence real property located at 2205 Santa
5 Paula Drive, Las Vegas NV 89104 to \$65,000.00; and

6 2. The first lien of BAC HOME LOANS, Account # 145096579 is secured only to
7 the amount of \$65,000.00 and the remaining balance of its loan shall be deemed unsecured and
8 paid pro rata with other general unsecured creditors through the Debtor's Chapter 13 plan;

9 3. The second lien of WASHINGTON MUTUAL, Account #
10 100100000000672470440 is to be avoided and extinguished upon completion of the Debtors'
11 Chapter 13 plan;

12 4. The third lien of WASHINGTON MUTUAL, Account #
13 100100000000690789714 is to be avoided and extinguished upon completion of the Debtors'
14 Chapter 13 plan;

15 5. Reclassify the second and third lien of WASHINGTON MUTUAL as general
16 unsecured claims to be paid pro rata with other general unsecured creditors through the Debtors'
17 Chapter 13 plan; and

18 6. Any future claims filed by WASHINGTON MUTUAL respecting Debtors' non-
19 principal residence real property must conform with the secured/unsecured status set forth above.

20 DATED: August 31st, 2009

21 Respectfully Submitted:

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28 /s/Jorge L. Sanchez, Esq. /s/
Jorge L. Sanchez, Esq.
Attorney for Debtor

ALTERNATIVE METHOD re: RULE 9021:

In accordance with Local Rule 9021, undersigned certifies:

The court waived the requirements of LR 9021.

No parties appeared or filed written objections, and there is no trustee appointed in the case.

X I have delivered a copy of this proposed order to all counsel who appeared at hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below:

Approved Debtor(s) Attorney/Trustee

Disapproved Debtor(s) Attorney/Trustee

Failed To Respond Trustee

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